

SEP. 2. 2005 9:54AM

POWELL, GOLDSTEIN (DTI-17)

NO. 010 P. 2

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Patents

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Jon C. Evans

Confirmation No.: 5740

Appl. No.: 09/887526

Examiner: Rudy, Andrew Joseph

Filed: June 25, 2001

Art Unit: 3627

For: SYSTEM AND METHOD FOR  
COMPUTER-CREATED ADVERTISEMENTS

Attorney Docket No.: 144797.00000  
Customer ID 25207

**ELECTION OF SPECIES**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed August 3, 2005, Applicants agree and further assert that the species of Figures 2 and 3 are, indeed, patentably distinct. Applicants therefore elect the species of Figure 3 and assert that claims 1-8 and 32-37 read thereon. Applicants further assert that claims 9-15 and 29-31 read on the species of Figure 2 but do not admit that claims 9-15 and 29-31 do not read on the species of Figure 3.

**Regarding the Claims**

Claims 1-40 are pending in the present application, with claims 16-28 and 38-40 having been withdrawn from consideration

**Inventorship**

Amendment of inventorship is not appropriate at this time as the allowable claims have not yet been determined.

Applicants submit that this election is fully responsive to the Office Action dated August 3, 2005 and that the claims 1-8 and 32-37 are now in condition for allowance. Should the

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NO. 010 P. 3

Application No. 09/887526  
Attorney Docket No. 144797.00000

Examiner have questions, or suggestions which will put this application in line for allowance, he or she is requested to contact the undersigned attorney.

Respectfully submitted,

POWELL GOLDSTEIN LLP



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